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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: INGRID PERSCKY DE FABREGA

Serial No.: 09/754,021

Group No.: 2162

Filed: January 3, 2001

Examiner: n/a

For: E-COMMERCE DEVELOPMENT INTRANET PORTAL

Attorney Docket No.: U 012900-8

RECEIVED

JUN 21 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

OFFICE OF PETITIONS  
DEPUTY A/C PATENTS

PETITION UNDER 37 CFR 1.182

Pursuant to the Commissioner's authority to decide questions not specifically provided for, applicant requests deletion of the claim to benefit-of priority from Panamanian Patent Application No. 60/2219,827 filed June 16, 2000 and U.S. Provisional Application No. 60/219,827 filed July 21, 2000 and recalculation of the Publication and Paris convention time periods previously calculated therefrom.

Unpublished Panamanian Patent Application No. 60/2219,827 has been withdrawn, as shown by the attached Resueve of the Panamanian Industrial Property Office. The certified copy of this Panamanian Patent Application should also be expunged from the file wrapper of Application No. 09/754,021.

An executed inventor's declaration that replaces the declaration previously filed in Application No. 09/754,021 is enclosed. A check for the Petition fee

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CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

Date: June 15, 2001

FACSIMILE

transmitted by facsimile to the Patent and Trademark Office

Signature

REGINA ANN LOUGHREN

(type or print name of person certifying)

of \$130 set forth in 37 CFR 1.17(h) is enclosed.



SIGNATURE OF PRACTITIONER

Reg. No. 30958

Regina Ann Loughran  
(type or print name of practitioner)

Tel. No.: (212) 708-1802

P.O. Address

Customer No.:

c/o Ladas & Parry  
26 West 61 Street  
New York, N.Y. 10023



REPUBLICA DE PANAMA - MINISTERIO DE COMERCIO E INDUSTRIAS  
DIRECCION GENERAL DEL REGISTRO DE LA PROPIEDAD INDUSTRIAL

RESUELTO No. 7244, PANAMA, 13 de Junio de 2001

LA DIRECCION GENERAL DEL REGISTRO DE LA PROPIEDAD INDUSTRIAL  
en uso de sus facultades legales,

C O N S I D E R A N D O

1. Qué mediante memorial presentado a esta Dirección el 16 de Junio de 2000, FIVE STARS PRODUCTS, INC. a través de su(s) Apoderado(s) Legal(es), solicitó el registro de PATENTE DE INVENCION denominada @-MIGO www.amigo.com INTERNETSERVICES, identificada bajo el No. 84971-01.
2. Que mediante memorial presentado a esta Dirección el 11 de Junio de 2001 por ARIAS FABREGA Y FABREGA en representación de FIVE STARS PRODUCTS, INC. solicitó el desistimiento de PATENTE DE INVENCION denominada @-MIGO www.amigo.com INTERNETSERVICES  
Por lo que esta Dirección.

R E S U E L V E

PRIMERO Aceptar, como en efecto se acepta el desistimiento de PATENTE DE INVENCION denominada @-MIGO www.amigo.com INTERNETSERVICES, identificada bajo el numero 84971-01.

SEGUNDO Solicitar al Ministerio de Economia y Finanzas la devolución de la mitad de los derechos pagados de acuerdo a la liquidación No. 16695A1 de fecha 16 de junio de 2000 según legislación vigente.

TERCERO Ordenar el archivo del expediente antes enunciado.

Fundamento de Derecho: Artículo 209 de la Ley 35 del 10 de mayo de 1986.

COMUNIQUESE Y CUMPLASE

Original { Licdo. JEANE JOHNSON J.  
Firmado

LICDA. JEANE JOHNSON J.  
Jefe del Departamento de Patentes  
de Invención

/cdh

13/6/2001  
Jeanne Johnson  
Director General de Registro de la Propiedad  
Industrial, Certifica que la presente es  
una copia de su original.

Panamá, 13 de Junio de 2001



Optional Customer No. Bar Code



00140

PATENT TRADEMARK OFFICE

**COMBINED DECLARATION AND POWER OF ATTORNEY**(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

(check one applicable item below)

- original.  
 design.

**NOTE:** With the exception of a supplemental oath or declaration submitted in a reissue, a supplemental oath or declaration is not treated as an amendment under 37 CFR 1.312 (Amendments after allowance). M.P.E.P. Section 714.16, 7<sup>th</sup> Ed.

- supplemental.

**NOTE:** If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.

- national stage of PCT.

**NOTE:** If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P.

**NOTE:** See 37 C.F.R. Section 1.63(d) (continued prosecution application) for use of a prior nonprovisional application declaration in the continuation or divisional application being filed on behalf of the same or fewer of the inventors named in the prior application.

- divisional.  
 continuation.

**NOTE:** Where an application discloses and claims subject matter not disclosed in the prior application, or a continuation or divisional application names an inventor not named in the prior application, a continuation-in-part application must be filed under 37 C.F.R. Section 1.53(b) (application filing requirements-nonprovisional application).

- continuation-in-part (C-I-P).



## INVENTORSHIP IDENTIFICATION

**WARNING:** Inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

### TITLE OF INVENTION

#### E-COMMERCE DEVELOPMENT INTRANET PORTAL

### SPECIFICATION IDENTIFICATION

The specification of which:  
(complete (a), (b), or (c))

(a) [ ] is attached hereto.

**NOTE:** "The following combinations of information supplied in an oath or declaration filed on the application filing date with a specification are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:

"(1) name of inventor(s), and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration on filing;

"(2) name of inventor(s), and attorney docket number which was on the specification as filed; or

"(3) name of inventor(s), and title which was on the specification as filed."

Notice of July 13, 1995 (1177 O.G. 60).

(b) [x] was filed on January 3, 2001, [ ] as Application No. 09/754,021  
[ ] and was amended on \_\_\_\_\_ (if applicable).

**NOTE:** Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 C.F.R. Section 1.67.

**NOTE:** "The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:

- (A) application number (consisting of the series code and the serial number, e.g., 08/123,456);
- (B) serial number and filing date;
- (C) attorney docket number which was on the specification as filed;
- (D) title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or
- (E) title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration.

M.P.E.P. Section 601.01(a). 7th ed.

(c)  was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

### SUPPLEMENTAL DECLARATION (37 C.F.R. Section 1.67(b))

*(complete the following where a supplemental declaration is being submitted)*

I hereby declare that the subject matter of the

attached amendment  
 amendment filed on \_\_\_\_\_

was part of my/our invention and was invented before the filing date of the original application, above identified, for such invention.

### ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in 37, Code of Federal Regulations, Section 1.56,

*(also check the following items, if desired)*

and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

in compliance with this duty, there is attached an information disclosure statement, in accordance with 37 C.F.R. Section 1.98.

### PRIORITY CLAIM (35 U.S.C. Section 119(a)-(d))

**NOTE:** "The claim to priority need be in no special form and may be made by the attorney or agent if the foreign application is referred to in the oath or declaration as required by Section 1.63. The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. Section 119(b) must be filed in the case of an interference (Section 1.630), when necessary to overcome the date of a reference relied upon by the examiner, when specifically required by the examiner, and in all other situations, before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date the issue fee is paid, it must be accompanied by a petition requesting entry and by the fee set forth in Section 1.17(i). If the certified copy is not in the English language, a translation need not be filed except in the case of interference; or when necessary to overcome the date of a reference relied upon by the examiner; or when specifically required by the examiner, in which event an English language translation must be filed together with a statement that the translation of the certified copy is accurate." 37 C.F.R. Section 1.55(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d)  no such applications have been filed.  
(e)  such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. SECTION 119(a)-(d)**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 USC 119
			[ ] YES [ ] NO
			[ ] YES [ ] NO
			[ ] YES [ ] NO
			[ ] YES [ ] NO
			[ ] YES [ ] NO

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
(35 U.S.C. Section 119(e))**

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

**PROVISIONAL APPLICATION NUMBER**

\_\_\_\_\_

**FILING DATE**

\_\_\_\_\_

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)  
UNDER 35 U.S.C. SECTION 120**

[ ] The claim for the benefit of any such applications are set forth in the attached ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART (C-I-P) APPLICATION.



ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

**NOTE:** If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. Section 120.

**POWER OF ATTORNEY**

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

(list name and registration number)

JOSEPH H. HANDELMAN, 26179  
JOHN RICHARDS, 31053  
RICHARD J. STREIT, 25765  
PETER D. GALLOWAY, 27885  
IAIN C. BAILLIE, 24090  
THOMAS F. PETERSON, 24790

RICHARD P. BERG, 28145  
JULIAN H. COHEN, 20302  
WILLIAM R. EVANS 25858  
JANET I. CORD, 33778  
CLIFFORD J. MASS, 30086  
CYNTHIA R. MILLER, 34678

(Check the following item, if applicable)

- [ ] I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.
- [ ] Attached, as part of this declaration and power of attorney, is the authorization of the above-named practitioner(s) to accept and follow instructions from my representative(s).

**NOTE:** "Special care should be taken in continuation or divisional applications to ensure that any change of correspondence address in a prior application is reflected in the continuation or divisional application. For example, where a copy of the oath or declaration from the prior application is submitted for a continuation or divisional application filed under 37 CFR 1.53(b) and the copy of the oath or declaration from the prior application designates an old correspondence address, the Office may not recognize, in the continuation or divisional application, the change of correspondence address made during the prosecution of the prior application. Applicant is required to identify the change of correspondence address in the continuation or divisional application to ensure that communications from the Office are mailed to the current correspondence address. 37 CFR 1.63(d)(4)." Section 601.03, M.P.E.P., 7th Ed



SEND CORRESPONDENCE TO

Ladas & Parry  
26 West 61<sup>st</sup> Street  
New York, N.Y. 10023

DIRECT TELEPHONE CALLS TO:  
(Name and telephone number)  
**Regina Ann Loughran**  
**(212) 708-1802**

*(complete the following if applicable)*

Since this filing is a [ ] continuation [ ] divisional there is attached hereto a Change of Correspondence Address so that there will be no question as to where the PTO should direct all correspondence.

#### DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)



**NOTE:** Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other documents.

**NOTE:** Each inventor must be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and by his/her residence, post office address and country of citizenship. 37 C.F.R. Section 1.63(a)(3).

**NOTE:** Inventors may execute separate declarations/oaths provided each declaration/oath sets forth all the inventors. Section 1.63(a)(3) requires that a declaration/oath, inter alia, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 62 Fed. Reg. 53,131, 53,142, October 10, 1997.

## Full name of sole or first inventor

Given Name Ingrid

Middle Initial or Name Maria

Family (Or Last Name) Perscky de Fabrega

Inventor's signature Ingrid Perscky de Fabrega

Date June 18/2001

Country of Citizenship

Panama

Residence Panama City, Republic of Panama

Post Office Address c/o Plaza Bancomer Building 50<sup>th</sup> Street, 16<sup>th</sup> Floor

Panama City, Republic of Panama

## Full name of second joint inventor, if any

Given Name \_\_\_\_\_

Middle Initial or Name \_\_\_\_\_

Family (Or Last Name) \_\_\_\_\_

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Country of Citizenship \_\_\_\_\_

Residence \_\_\_\_\_

Post Office Address \_\_\_\_\_

## Full name of third joint inventor, if any

Given Name \_\_\_\_\_

Middle Initial or Name \_\_\_\_\_

Family (Or Last Name) \_\_\_\_\_

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Country of Citizenship \_\_\_\_\_

Residence \_\_\_\_\_

Post Office Address \_\_\_\_\_

(Declaration and Power of Attorney--page 7 of 8) 1-1

Yo, MANUEL CUPAS FERNÁNDEZ, Notario Público Primero del Circuito de Panamá, con Cédula No. 8-167-343

## CERTIFICO:

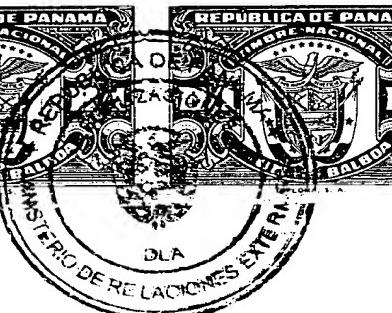
Que la(s) firma(s) anterior(es) de INGRID MARIA  
PERSCKY DE FABREGA \* \*

ha(n) sido reconocida(s) como suya(s) por los firmantes, por consiguiente dicha(s) firma(s) son auténtica(s).

JUN 11 2001

Panamá,  
Joaquín de Otegi, 27/91  
TESTIGO TESTIGO





### APOSTILLE

(Convention de La Haye du 5 octobre 1961)

1. En Panamá el presente documento público

2. ha sido firmado por MANUEL CUPAS F.

3. quien actúa en calidad de NOTARIO

4. y está revestido del sello / timbre de NOTARIO PÚBLICO PRIMERO

### CERTIFICADO

5. En el Ministerio de Relaciones Exteriores 6. el día 11-6-2001

7. por DIRECTOR DE LEGALIZACIONES Y AUTENTICACIONES

8. bajo el número 86

9. sello / timbre

10. Firma

PEDRO ONGAY OCANA

Director General de Autenticaciones

y Legalizaciones

Ministerio de Relaciones Exteriores

(check proper box(es) for any of the following added page(s)  
that form a part of this declaration)

[ ] Signature for fourth and subsequent joint inventors. Number of pages added \_\_\_\_\_

\* \* \*

[ ] Signature by administrator(trix), executor(trix) or legal representative for deceased or  
incapacitated inventor. Number of pages added \_\_\_\_\_

\* \* \*

[ ] Signature for inventor who refuses to sign or cannot be reached by person authorized under  
37 C.F.R. Section 1.47. Number of pages added \_\_\_\_\_

\* \* \*

[ ] Added page for signature by one joint inventor on behalf of deceased inventor(s) where legal  
representative cannot be appointed in time. (37 C.F.R. Section 1.47)

\* \* \*

[ ] Added pages to combined declaration and power of attorney for divisional, continuation, or  
continuation-in-part (C-I-P) application.

[ ] Number of pages added \_\_\_\_\_

\* \* \*

[ ] Authorization of practitioner(s) to accept and follow instructions from representative.

(If no further pages form a part of this Declaration,  
then end this Declaration with this page and check the following item)

[ ] This declaration ends with this page.